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UNCLAS SECTION 01 OF 02 ACCRA 000151

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TAGS: [PHUM](#) [PGOV](#) [GH](#)

SUBJECT: Police arrest opposition radio commentator for on-air statements

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¶11. (SBU) Summary: Following comments during a radio broadcast suggesting that former President Rawlings deliberately set fire to his home, police arrested opposition politician Nana Darkwa Baafi on February 18, 2010. Baafi's arrest has resulted in a media backlash, with journalists accusing the government of violating freedom of speech, and on February 19 members of the opposition New Patriotic Party (NPP) boycotted Parliament in solidarity with Baafi. Baafi was released February 19 on bail, and some government officials have suggested to us privately that the police and judge overreacted in arresting and detaining Baafi for a relatively minor offense. President Mills has issued a statement reaffirming his government's respect for press freedom, while calling for citizens to exercise free speech rights responsibly. End Summary.

Arrest and Charges

¶12. (U) On February 18, 2010, Baafi, an NPP official, stated on Top Radio that former President Rawlings deliberately set his house on fire to get President Mills to relocate him. (NOTE: Former President Rawling's house was destroyed in a fire on February 14. The media reported that the fire's cause was most likely due to an electrical problem. END NOTE). According to media reports, the police arrived at the studio shortly after the comments, accompanied by Rawlings Aide Kofi Adams (NOTE: Adams was elected Deputy General Secretary of the ruling National Democratic Congress (NDC) at the party's January congress. END NOTE), and arrested Baafi. Baafi was charged with one count of publishing false news with intent to cause alarm under Section 208 of Act 60 of the Criminal Procedure Code and was sentenced to a two week remand. He was granted bail on February 19, and is expected to appear before the circuit court on March 3.

Backlash

¶13. (U) On February 19, the Minority caucus in Parliament boycotted "until further notice" parliamentary business to show support for Baafi. Minority MPs dressed in black and wore red bands around their necks. Minority Leader Osei Kyei-Mensah-Bonsu declared that what happened to Baafi was "a national tragedy."

¶14. (U) The National Media Commission (NMC) issued a press release February 19 stating that it is "unacceptable for contributors to radio programs to make unguarded and unsubstantiated statements." However, they stated that "media infractions should be handled in a manner that does not criminalize speech and undermine free expression and media freedom." The Ghana Journalists Association (GJA) issued a public statement February 19 condemning the abuse of freedom of speech and protesting the speed with which Baafi was arrested and charged.

¶15. (SBU) On February 23, Deputy Minister of Justice Ebo

Barton-Odoru, an NDC MP, told POL Chief that it was regrettable that the opposition had boycotted parliament and expressed hope that they would return later that day (Note: NPP MPs returned to parliament later in the day on February 23. End Note). At the same time, he criticized the judge's decision to remand Baafi in detention, describing that as an excessive punishment for a "minor offense."

President Mills reaffirms commitment to press freedom

¶ 6. (U) Also on February 19, Deputy Minister of Information James Agyenim-Boateng issued a statement on behalf of President Mills expressing concern over the two-week remand sentence given to Baafi. Agyenim-Boateng reiterated the President's commitment to create a better Ghana "with opportunities for all within an environment of unfettered protection of the citizen's right to free expression." He

stressed the need for balance between responsible citizenship and the right to free expression.

Comment

¶ 7. (SBU) The police's summary arrest of Baafi at the studio, the judge's harsh sentence, and Kofi Adams' apparent involvement in the arrest, are clearly a concern. This incident will also feed into NPP complaints that Rawlings plays an inappropriate behind-the-scenes role in governance. Nevertheless, while underlining the fragility of free speech, the fact that Baafi was released immediately and that numerous figures - including President Mills - have stressed the need to protect free speech, suggest to us that due process and rule of law remain alive and well in Ghana. End Comment.

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